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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,905	08/31/2001	Osamu Imaichi	1021.40599X00	8131

20457 7590 01/12/2005

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EXAMINER

LY, ANH

ART UNIT PAPER NUMBER

2162

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/942,905

Applicant(s)

IMAICHI ET AL.

Examiner

Anh Ly

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is response to Applicants' Amendment filed on 07/21/2004
2. Claims 10-23 are added.
3. Claims 1-23 are pending in this application.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3, 6-9, 10-15, 16-18 and 21-23 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 5,454,105 issued to Hatakeyama et al. (hereinafter Hatakeyama).

With respect to claim 1, Hatakeyama teaches an associative search recording table recording the number of times xij of searching a document database based on a search result of a document database I (fig. 17 shown the number of times of searching full text of documents containing a particular character string or string from a document

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database or databases and the search result set is stored in the table: col. 17, lines 10-28; col. 1, lines 12-20; also see fig. 22, col. 19, lines 47-60).

With respect to claim 2, Hatakeyama teaches changing a showing order of document databases to be searched by using said associative search recording table (the ordering of database is displayed: col. 19, lines 47-60).

With respect to claim 3, Hatakeyama teaches wherein a differing said associative search recording table is stored for each user, and, by using said associative search recording table for each user, a showing order of document databases to be searched is changed according to a user (this a document search system for a plurality of users to perform the search and who might be enable to change the search such as condition, selecting of input database: col. 17, lines 40-55, col. 10, lines 50-55 and col. 1, lines 20-25).

With respect to claim 6, Hatakeyama teaches search query analyzing means for analyzing a search query from said search client (the search request sources are evaluated or analyzed in queue buffer by checking the identification: col. 2, lines 30-45, and lines 62-67 and col. 3, lines 1-10);

search query constructing means for sending the search query analyzed by said search query analyzing means to the document database specified by the search client (the search requests are accumulated in the waiting queue: col. 3, lines 1-10);

means for sending a search result of said specified document database to said search client (sending the search result: col. 3, lines 5-10); and

associative search recording table storing means for storing an associative search recording table recording the number of times x_{ij} of searching a document database j based on a search result of a document database i (fig. 17 shown the number of times of searching full text of documents containing a particular character string or string from a document database or databases and the search result set is stored in the table: col. 17, lines 10-28; col. 1, lines 12-20; also see fig. 22, col. 19, lines 47-60).

With respect to claim 7, Hatakeyama teaches showing order changing means for changing a showing order of document databases to be searched and to be shown to said search client by using data from said associative search recording table (the ordering of database is displayed: col. 19, lines 47-60).

With respect to claim 8, Hatakeyama teaches associative search recording table storing means which stores an associative search recording table for each user, and the showing order changing means for changing a showing order of document databases to be searched and to be shown to said search client according to a user by using said associative search recording table for each user (this a document search system for a plurality of users to perform the search and who might be enable to change the search such as condition, selecting of input database: col. 17, lines 40-55, col. 10, lines 50-55 and col. 1, lines 20-25).

With respect to claim 10, Hatakeyama teaches wherein for each document database of a plurality of select document databases, the associative search recording table has plural entries with differing entries for recording a respective number of times

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xij of searching the document database j based on a search result of differing ones of document databases i, respectively (the set of search results based on the search requests from users inputted to the system accumulated in waiting queue: col. 2, lines 62-67 and col. 3, lines 1-10).

With respect to claim 11, Hatakeyama teaches storing, in the associative search recording table, a number of times xij of searching a document database j based on a search result of a keyword l (col. 4, lines 44-60 and col. 5, lines 4-32).

With respect to claim 12, Hatakeyama teaches wherein for each document database of a plurality of select document databases, the associative search recording table has plural entries with differing entries for recording a respective number of times xij of searching the document database j based on a search result of differing ones of document databases or keywords i, respectively (fig. 17 shown the number of times of searching full text of documents containing a particular character string or string from a document database or databases and the search result set is stored in the table: col. 17, lines 10-28; col. 1, lines 12-20; also see fig. 22, col. 19, lines 47-60 and col. 4, lines 44-60 and col. 5, lines 4-32).

With respect to claim 13, Hatayama teaches wherein for each document database of a plurality of select document databases, the associative search recording table has plural entries with differing entries for recording a respective number of times xij of searching the document database j based on a search result of differing ones of document databases i, respectively (fig. 17 shown the number of times of searching full text of documents containing a particular character string or string from a document

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database or databases and the search result set is stored in the table: col. 17, lines 10-28; col. 1, lines 12-20; also see fig. 22, col. 19, lines 47-60 and col. 4, lines 44-60 and col. 5, lines 4-32).

With respect to claim 14, Hatakeyama teaches storing, in the associative search recording table, a number of times x_{ij} of searching a document database j based on a search result of a keyword i (col. 4, lines 44-60 and col. 5, lines 4-32).

With respect to claim 15, Hatakeyama teaches wherein for each document database of a plurality of select document databases, the associative search recording table has plural entries with differing entries for recording a respective number of times x_{ij} of searching the document database j based on a search result of differing ones of document databases or keywords i , respectively (fig. 17 shown the number of times of searching full text of documents containing a particular character string or string from a document database or databases and the search result set is stored in the table: col. 17, lines 10-28; col. 1, lines 12-20; also see fig. 22, col. 19, lines 47-60 and col. 4, lines 44-60 and col. 5, lines 4-32).

With respect to claim 16, Hatakeyama teaches storing an associative search recording table recording a number of times x_{ij} of searching a document database j based on a search result of a document database i (fig. 17 shown the number of times of searching full text of documents containing a particular character string or string from a document database or databases and the search result set is stored in the table: col. 17, lines 10-28; col. 1, lines 12-20; also see fig. 22, col. 19, lines 47-60), and, using data from the associative search recording table to help specify a document database to be

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searched next among a plurality of document databases (col. 4, lines 8-22 and lines 44-60).

With respect to claim 17, Hatakeyama teaches changing a showing order of document databases to be searched by using data from said associative search recording table ().

With respect to claim 18, Hatakeyama teaches wherein a differing said associative search recording table is stored for each user, and, by using said associative search recording table for each user, a showing order of document databases to be searched is changed according to a user ().

Claim 21 is essentially the same as claim 10 except that it is directed to a method rather than a system, and is rejected for the same reason as applied to the claim 10 hereinabove.

Claim 22 is essentially the same as claim 11 except that it is directed to a method rather than a system, and is rejected for the same reason as applied to the claim 11 hereinabove.

Claim 23 is essentially the same as claim 12 except that it is directed to a method rather than a system, and is rejected for the same reason as applied to the claim 12 hereinabove.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 4-5, 9 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,454,105 issued to Hatakeyama et al. (hereinafter Hatakeyama) in view of US Patent No. 6,532,459 issued to Berson.

With respect to claims 4-5, Hatakeyama discloses a document search system as discussed in claim 1.

Hatakeyama teaches a document search system for allowing a plurality of users to searching a full-text of documents in a document database or databases and the set of search results are stored in a table based on the number of times of searching the

document databases. Hatakeyama does not teach calculating a registration fee of each document database by using said associative search recording table.

However, Berson teaches the fee for the searching document or database to be computed (col. 11, lines 50-62).

Therefore, It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Hatakeyama with the teachings of Berson so as to have the way to calculating the fee for searching registered document database over the Internet to be collected by the owner of the information sources (Berson - col. 11, lines 50-62). The motivation being to reduce the searching time required and to enhance the convenience for the user the document search to be searched and for evaluation properly the document database.

With respect to claim 9, Hatakeyama discloses a document search system as discussed in claim 6.

Hatakeyama teaches a document search system for allowing a plurality of users to searching a full-text of documents in a document database or databases and the set of search results are stored in a table based on the number of times of searching the document databases. Hatakeyama does not teach calculating a registration fee of each document database by using said associative search recording table.

However, Berson teaches the fee for the searching document or database to be computed (col. 11, lines 50-62).

Therefore, It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Hatakeyama with the

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teachings of Berson so as to have the way to calculating the fee for searching registered document database over the Internet to be collected by the owner of the information sources (Berson - col. 11, lines 50-62). The motivation being to reduce the searching time required and to enhance the convenience for the user the document search to be searched and for evaluation properly the document database.

With respect to claims 19-20, Hatakeyama discloses a document search method as discussed in claim 16.

Hatakeyama teaches a document search system for allowing a plurality of users to searching a full-text of documents in a document database or databases and the set of search results are stored in a table based on the number of times of searching the document databases. Hatakeyama does not teach calculating a registration fee of each document database by using said associative search recording table.

However, Berson teaches the fee for the searching document or database to be computed (col. 11, lines 50-62).

Therefore, It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Hatakeyama with the teachings of Berson so as to have the way to calculating the fee for searching registered document database over the Internet to be collected by the owner of the information sources (Berson - col. 11, lines 50-62). The motivation being to reduce the searching time required and to enhance the convenience for the user the document search to be searched and for evaluation properly the document database.

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Contact Information

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or via E-Mail: ANH.LY@USPTO.GOV or fax to (571) 273-4039. The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM.

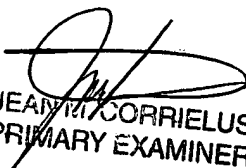
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (571) 272-4107 or Primary Examiner Jean Corrielus (571) 272-4032.


Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: Central Fax Center (703) 872-9306


JEAN CORRIELUS
PRIMARY EXAMINER

ANH LY 
JAN. 6th, 2005